

01  
02  
03  
04  
05  
06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR99-062-TSZ  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 JOSEPH PETER STAHLEY, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
13

14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on September 22, 2008. The United States was represented by AUSA Annette Hayes and the  
16 defendant by Jennifer Wellman. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about July 23, 1999 by the Honorable Thomas S. Zilly  
18 on a charge of Bank Robbery, and sentenced to 108 months custody, 3 years supervised release.  
19 (Dkt. 21.)

20 The conditions of supervised release included the standard conditions plus the requirements  
21 that defendant submit to search, participate in a drug program, abstain from alcohol, submit to  
22 mandatory drug testing, participate in a mental health program, provide access to financial

01 information, and pay restitution in the amount of \$4,573.

02 In an application dated September 9, 2008 (Dkt. 25 ), U.S. Probation Officer Richard B.  
03 Cowan alleged the following violations of the conditions of supervised release:

04 1. Failure to adequately participate in substance abuse treatment, beginning May  
05 2008, in violation of special conditions.

06 2. Failure to abstain from consumption of alcohol, beginning May 2008, in violation  
07 of special conditions.

08 3. Failure to work at a lawful occupation unless excused by the probation officer,  
09 beginning on or about August 1, 2008, in violation of standard condition no. 5.

10 Defendant was advised in full as to those charges and as to his constitutional rights.

11 Defendant admitted alleged violations 1 and 2 and waived any evidentiary hearing as to  
12 whether they occurred. Defendant denied alleged violation 3.

13 I therefore recommend the Court find defendant violated his supervised release as alleged  
14 in violations 1 and 2, and that the Court conduct a hearing limited to the issue of disposition. An  
15 evidentiary hearing will be set before Judge Zilly on alleged violation 3, to occur at the same time  
16 as the disposition hearing on violations 1 and 2. The parties advise that they may be able to reach  
17 a resolution on this violation.

18 Pending a final determination by the Court, defendant has been detained.

19 DATED this 22nd day of September, 2008.

20   
21 Mary Alice Theiler  
22 United States Magistrate Judge

01 cc: District Judge: Honorable Thomas S. Zilly  
02 AUSA: Annette Hayes  
03 Defendant's attorney: Jennifer Wellman  
04 Probation officer: Richard B. Cowan  
05  
06  
07  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22